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ARTICLE I. NAME

This organization shall be known as the Philadelphia Metal Trades Council, AFL-CIO, Philadelphia, Penna., which has been duly chartered by the Metal Trades Department, AFL-CIO.

ARTICLE II. JURISDICTION

The Philadelphia Metal Trades Council shall be composed of affiliated local Unions whose membership are employed within the defined jurisdiction of the Council. The delegates to this Council shall be designated by each affiliated local Union in accordance with Article <sup>VII</sup> of these by-laws.

ARTICLE III. PURPOSE

The purpose of this Council is to act decisively through unity of purpose and action to effectively protect and promote the interests of the membership of its affiliated local unions. To do so, it shall engage in meaningful negotiation and administration of Labor Agreements with those Employers with whom the Council is the recognized collective bargaining representative to the end that the Council's affiliated membership will enjoy an ever-higher standard of living and an assurance that they will be treated fairly and equitably by their Employer. They shall organize constructive legislative education-action programs to insure that the Council's affiliated membership recognize and accept their responsibilities as citizens in strengthening our democracy.

ARTICLE IV. FUNCTIONS

Section 1. This Council is committed to the task of acting decisively to effectively protect and promote the interests of its affiliated membership and will achieve this objective only if it: strives to establish that unity of purpose and action among the Council's affiliated unions and membership which will insure that it is capable of implementing effective collective bargaining and legislative education-action activities; coordinates, through affirmative guidance, the activities of its affiliated local unions and their membership so as to insure the existence of that continuing, total unity of purpose and action which is absolutely essential to Council success in its responsibilities and endeavors; provides that its organizational structure is that which will insure that it is always capable of formulating and implementing those programs of action which will permit the Council to provide positive representation through assistance and service to its affiliated local unions and their membership.

Section 2. This Council's affiliated local unions and their membership, committed to the principle that only in unity is there strength, recognize the necessity of the Council to coordinate and direct their activities to the extent required to insure that continuing, total unity of purpose and action which is essential to achievement of the Council's established objectives and the necessity to totally support the Council in implementation of its duly adopted programs.

ARTICLE ~~XXXX~~ V.

MEMBERSHIP

Section 1 - This Council shall accept for affiliation in the Council any local union duly chartered by a National or International Union affiliated with the Metal Trades Department which has established jurisdictional rights within the defined jurisdiction of the Council.

Section 2 - This Council may accept for affiliation a local union chartered by a National or International Union, which is not affiliated with the Metal Trades Department, provided that such National or International Union is affiliated with the AFL-CIO and authorizes, in writing, its local union to affiliate with the Council and agrees that said local union shall be governed by the Constitution and By-Laws of the Metal Trades Department and those By-Laws, and, further, that such affiliation is approved by the Metal Trades Department.

Section 3 - All local unions applying for membership in this Council shall submit an application in writing. Said application shall bear the Seal of the local union and shall be accompanied by the established per capita of twenty-eight (28) cents per member per month for three (3) months, for the full membership of the local union over which this Council has jurisdiction including the month in which the application is filed. The Council shall be notified within sixty (60) days of any changes in membership of an affiliated local union. Any allegation that a local union is not paying on its full membership, which is not resolved locally, shall be referred to the President of the Metal Trades Department for handling with the International Union involved.

ARTICLE VI. MEETINGS

Section 1. Regular monthly meetings of this Council will be held on the fourth Thursday of each month at a place designated by the body.

Section 2. All regular meetings will start promptly at 8:00 P.M. and adjourn at 11:00 P.M. Extension of time may be voted by the Council delegates in attendance not later than 45 minutes prior to adjournment.

Section 3. A special meeting of this Council shall be called by the President upon written request of 5 of the Council's Executive Board or 5 delegates from any 5 affiliated local union in good standing. Such request for special meeting shall be made to the President, in writing, and shall state clearly the purpose or purposes for which the meeting is called and no other business shall be transacted at said meeting. If the request is from 5 delegates from 5 local unions, it must be signed by such delegates countersigned by the President of their respective local unions, and bear the seals of their local unions.

Section 4. The President may call a special meeting at his discretion for the consideration of any matter of extreme urgency.

Section 5. No special meeting of the Council will be legal unless the delegates to the Council have been notified of the date, time and the place of the meeting 48 hours in advance.

Section 6.        local unions representing        different Nations or International Unions with        or more delegates present shall constitute a quorum.

Section 7. All questions of a parliamentary nature shall be decided in accordance with the Constitution and By-laws of the Metal Trades Department and any question not covered therein shall be decided in accordance with Roberts Rules of Order.

ARTICLE VII. DELEGATES AND VOTING

Section 1. Each local Union affiliated with this Council shall be entitled to six (6) delegates and six (6) alternates.

Section 2. The method of voting shall be "aye" and "nay" unless a recall vote is requested, in which case, the chairman of each delegatic will vote for his or her local in the manner decided by his or her delegates. Any one delegate present may vote the entire strength of his local union or it may be divided into as many as six (6) parts allowi each delegate present his fraction of his local union's allotted vote In cases where any National or International Union is represented in this Council by more than one local union, the total voting strength of such local unions shall be divided between such local unions in exact proportion to the per capita paid by each to the Council, except that, in no event shall any such local union have less than one (1) v Said vote shall come from the total aggregate vote of the local Union affiliated with the same National or International Union. The alloca of votes shall be as follows:

1 - 200 members	2 votes
201 - 400 members	3 votes
401 - 600 members	4 votes
601 - 800 members	5 votes
801 -1000 members	6 votes
1001 -1200 members	7 votes
1201 -1400 members	8 votes
1401 -1600 members	9 votes
1601 and over	10 votes

Membership will be determined on the basis of the per capita tax paid the preceding quarter prior to the month, of the year in which the elections are to be held.

ARTICLE VII. DELEGATES AND VOTING (cont'd.)

Section 3. There will be no secret ballot by delegates on any matter being acted upon by such delegates, except when delegates are voting a referendum of the entire membership of the affiliates, which requires a secret ballot. The ratification of collective bargaining agreements will be by referendum vote of all eligible members of affiliated local unions who choose to exercise this franchise, pursuant to procedures established by the Metal Trades Department.

Section 4. No delegate or alternate shall be entitled to a seat in Council unless provided with credentials signed and sealed by the appropriate officers of the local union he has been chosen to represent.

Section 5. No delegate will be permitted to vote in the election of Council officers whose local union has not certified in writing to Council that he has been elected a delegate by secret ballot or holds an office in his local union to which he has been elected by secret ballot and is a delegate to the Council by virtue of his office, in accordance with the Constitution and By-laws of his organization.

Section 6. All delegates and elected officers, before being seated, assent to the obligation set forth in the Constitution and By-laws of the Metal Trades Department.

Section 7. Where a local union affiliated with the Council is three months delinquent in the payment of per capita tax or legally imposed assessments to the Council, the National or International Union of local union shall, after written notification from the Secretary-Treasurer of the Metal Trades Department of the local union's delinquency use its best efforts to persuade its local union to pay up its delinquency immediately. Delegates of such delinquent local union shall lose the right to voice or vote in the affairs of the Council, pending resolution of the matter. There shall be no Council stewards from such



ARTICLE VII. DELEGATES AND VOTING (cont'd.)

delinquent local union during the period of such delinquency.

Section 8. It is the duty of every delegate to attend all the meetings of this Council and to actively participate in the affairs of this Council to the end that through greater unity of purpose and action, interests of the affiliated membership are effectively protected and promoted. In the event any delegate fails to attend at least one meeting in three (3) consecutive months, without good cause, the Council shall notify the delegate's local union of such absence and request that action be taken by the local union on the matter.

Section 9. No delegate to this Council shall engage in any activity or course of conduct which has for its purpose the fostering of dissension and disunity within this Council or to assist a rival organization.

Section 10. It shall be the duty of any delegate having knowledge of the violation of any Article or Section of the Constitution or these By-Laws, to prefer specific charges, in writing, against the delegate or member of an affiliated local union committing such violation to the Council. In the event charges are against a local union member who is not a Council officer or steward, such charges, by action of the Council, will be referred to his local union for handling pursuant to the constitution and by-laws of that International Union.

Section 11. No person other than accredited delegates or a duly authorized representative of an affiliate from a National or International Union or the Metal Trades Department or a representative of the AFL-CIO on assignment shall have the right to address meetings of this Council, except by two-thirds consent of the delegates present and voting. (Procedures may be made for inviting guest speakers by action of the Council or by the Executive Board.)

Section 12. All business of the Council requiring a vote of the delegates shall be conducted in executive session

# ARTICLE VIII. OFFICERS, NOMINATIONS AND ELECTIONS

Section 1. The officers of this Council shall be, on approval of the Council, a President, a Vice-president from each government activity represented, a Corresponding Secretary, a Recording Secretary, a Treasurer, a Sargeant-at-Arms and three (3) Trustees, who shall be elected from among the duly seated delegates to this Council in accordance with Article VII of this Constitution and By-laws and the Constitution and By-laws of the Metal Trades Department. The first Vice-president shall be from the largest activity represented. The succession of the Vice presidents will be in order as to the size of the activity they represent.

Section 2. Not more than one delegate from any affiliated local Union shall hold an elective office in this Council, and no delegate shall hold two (2) elective offices at one time.

Section 3 - To be eligible for nomination and election to an office in this Council, a delegate must be employed in a non-supervisory capacity by an employer within the defined jurisdiction of this Council, in good standing of a local union affiliated with this Council and whose per capita to this Council is paid through the month preceding nominations.

Section 4 - No delegate may be nominated to any office or delegated to any convention unless said delegate is present at the meeting or has indicated acceptance of nomination by letter prior to the meeting if unable to attend. Nominated delegates must attend the election meeting.

Section 5 - The nomination of officers shall be held at the regular meeting in November, and election of officers shall take place at the regular meeting in December and the officers elected shall be installed at the regular meeting in January.

Section 6 - The terms of office shall be for 2 years unless sooner terminated by death, resignation, suspension or dismissal.

ARTICLE VIII. OFFICERS, NOMINATIONS AND ELECTIONS

Section 7. A vacancy occurring in other than the office of President or Treasurer as a result of death, resignation or otherwise, shall be filled by appointment at the next meeting after such vacancy is declared by the presiding Council officer. Nomination<sup>3</sup>/will be held at the following monthly regular meeting and election will be held the month following nominations.

Section 8. During the temporary absence of any officer, other than the President, the President shall appoint a delegate to fill the vacancy, pro-tem. Such appointment shall be governed by the restrictions of Section 2 of this Article. The Vice-president shall fill the office of President in his absence.

Section 9. If any delegate elected to an office in this Council terminates either his employment with an employer within the defined jurisdiction of this Council or is promoted to a supervisory position or terminates his membership in the local Union from which he was elected delegate, the office shall be declared vacant and shall be filled in accordance with Section 7 of this Article.

Section 10. If any delegate obtains a leave of absence from his employer to work for a National or International Union to service its respective membership, he shall be considered as employed within the defined jurisdiction of this Council, unless he fails to return to work when his leave of absence is terminated.

## ARTICLE IX. DUTIES OF OFFICERS

Section 1. The President shall preside at all meetings of this Council and of the Executive Board. He shall preserve order, enforce the Constitution and By-laws of the Council and see that all officers perform their prescribed duties in accordance with the Council By-laws and the Constitution and By-laws of the Metal Trades Department. He shall attest all orders for payment of obligations and countersign all checks for such payment. He shall appoint all members of committees not otherwise provided for in the Constitution and By-laws. He shall be ex-officio chairman of all committees.

Section 2. The first Vice-president shall perform, in the absence of the President, all duties pertaining to the office of the President. In case of death, resignation or otherwise of the President, the first Vice-president shall perform the duties of the President and the vacancy shall thereby be filled by a special election in accordance with Article VIII of these By-laws, for the remainder of the term of President.

Section 3 - The Corresponding Secretary shall handle the Council correspondence and will take action with the assent of the President or Council, on communications received, and correspond with others as may be directed. He shall read all official Council correspondence at the next Council meeting.

Section 4 - The Recording Secretary shall record and keep an accurate record of the minutes of all Council meetings. He will read the minutes of previous meeting at the next Council meeting. He will notify the Corresponding Secretary of any necessary correspondence and will assist the corresponding Secretary when required.

ARTICLE IX. DUTIES OF OFFICERS (cont'd.)

Section 5 - The Treasurer shall receive all dues and moneys to be paid to the Council. He shall keep an accurate account of all moneys received and expended. He shall honor all orders for payment of bills by the Council. He shall notify all unions or lodges in arrears of their indebtedness quarterly. He shall produce his books for inspection whenever called upon by the Board of Trustees. He shall deposit, in the name of the Council all moneys or funds in such bank as the Council may designate. He shall make monthly reports to the Council of all receipts and expenditures. He shall furnish such surety bonds as the Trustees may require, the Council to pay the premiums on same.

Section 6 - The Trustees shall have supervision over all funds and property of the Council; require the Treasurer to deposit all monies, securities and certificates of value in the name of the Council in such bank as the Council may designate. They shall examine the financial statements and all books and records of the Treasurer at the end of each quarter ending March 31, June 30, September 30 and December 31, and conduct a proper audit of such accounts; submit a certified report of this examination and audit to the Council; have authority to demand and examine all books and records of the Treasurer for the purpose of an audit at any time and notify the Council of any refusal or failure of the Treasurer to surrender his books.

Section 7 - The Sargeant-at-Arms shall take charge of the door at each meeting and see to it that none but delegates in good standing and entitled to participate in the meeting are admitted. He shall direct all delegates to sign a log book at each meeting. The Sargeant-at-Arms shall allow no delegate to retire without permission of the President or presiding officer and shall perform such other duties as may be assigned to him by the Council.

ARTICLE IX. DUTIES OF OFFICERS (cont'd.)

Section 8. It shall be the duty of all officers to attend all regular and special meetings of the Council. Any officer absenting himself from three (3) consecutive meetings may have his office declared vacant, unless reasonable cause is established for attendance delinquency. The declaration of vacancy shall be by a majority vote of the Council and in that event, the vacancy shall be filled in accordance with Article VIII, Section 7 of these By-laws.

ARTICLE X. EXECUTIVE BOARD

Section 1. The Executive Board of this Council shall consist of the duly elected Council officers and one representative from each affiliated local union from which no officer is elected. Such additional representatives shall be designated by the delegates to the Council from the affiliated local union. Official representatives of the East Coast District Metal Trades Council from within the defined jurisdiction of the Council and the Chairmen of Council committees may participate in Executive Board meetings without vote, unless an official member of the Executive Board as prescribed herein.

Section 2. The President shall preside over all meetings of the Executive Board and the Recording Secretary shall keep a record of all business transacted by the Executive Board.

Section 3. The Executive Board is empowered to handle all urgent business and matters pertaining to the Council, between meetings of the Council, and it shall handle effectively and properly all matters referred to it by the Council. It shall be empowered to make recommendations to the Council on all matters which must be resolved by the Council.

ARTICLE XIII. AUTHORIZED EXPENSES.

Section 1. In recognition of the duties which they are required to perform, the Council shall authorize to the designated officers, the following expenses:

President	\$15.00 per month	paid quarterly
Vice-presidents	\$10.00 per month	paid quarterly
Corresponding Secy.	\$15.00 per month	paid quarterly
Recording Secy.	\$10.00 per month	paid quarterly
Treasurer	\$15.00 per month	paid quarterly
Trustees	\$ 5.00 per audit	paid at time of audit

Section 2. A delegate, while on authorized Metal Trades Council business will be allowed, as a minimum: per diem for each day in the amount of the top step of the bench mark rate, or equivalent, plus thirty dollars (\$30.00) per day expenses and round trip transportation with said transportation not to exceed the cost of "first class" air transportation outside of a 250 mile radius and "train fare" within a 250 mile radius. No per diem will be paid for Saturday and Sunday unless approved by the Council.



ARTICLE XIV. REPORT TO GOVERNMENT AGENCY UNDER EXECUTIVE ORDER 11491

Appropriate officers will make required reports to the appropriate agency in keeping with regulations issued pursuant to law or Executive Order 11491, as amended.

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January 22, 1976

Mr. John Bergen, President  
Philadelphia Metal Trades Council  
Building 650, Room 1  
Philadelphia Naval Shipyard  
Philadelphia, Pa. 19112

Subject: Amendment  
to Philadelphia MTC  
Bylaws

Dear Sir and Brother:

This will confirm the meeting in my office on December 1, 1975 with Pat O'Donoghue, Counsel for the Metal Trades Department wherein it was agreed that an amendment was necessary to Article XV, Section 1 of the Philadelphia Metal Trades Council's Bylaws and also to the Standard Guidelines for Bylaws for Federal Employee Metal Trades Councils, to conform with current and past practices in selecting a sub-committee from among the negotiating committee. The Amendment is as follows:

There shall be a negotiating committee for each facility in which this council has received recognition as the collective bargaining representative of the employees. This committee shall consist of one representative from each affiliated local union having jurisdiction within said facility, and said representative shall be designated by the local union. The chairman and secretary of the committee shall be selected by the committee. The committee may select a subcommittee from among its members to conduct actual negotiations provided, however, where a subcommittee is so selected, it is understood that full power remains vested in the negotiating committee. Where a subcommittee is selected, the committee shall designate the chairman and secretary of the subcommittee. The president of the council shall be an ex officio member of each council negotiating committee and subcommittee. A report as to the status of negotiations shall be submitted to council delegates at each meeting of the council while negotiations are in progress and a written statement of said report shall be furnished to the President of the Metal Trades Department.

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The results of the collective bargaining negotiations, as set forth in a labor agreement, shall be subject to ratification by the affiliated local unions, as a group, having members employed in the facility, subject to the agreement ratification procedures issued by the President of the Metal Trades Department.

When expert assistance is requested by the Council for a Chief Negotiator such individual shall be considered a part of the Negotiations Committee with voice but without vote and participate in all matters involving the negotiations. Request for such assistance shall be submitted to the President of the Metal Trades Department and the person designated shall be responsible to the President of the Department.

This clarification hopefully will avoid any further misinterpretations of the meaning and application of this Article.

With best wishes I remain

Sincerely and fraternally yours,

Paul J. Burnsky  
President

FJB:mr

CC: Pat O'Donoghue

*C. J. [unclear]  
[unclear]  
Carson*

ARTICLE XV. COMMITTEES

Section 1. There shall be a Negotiations Committee for each facility in which this Council has received recognition as the collective bargaining representative of the employees. This Committee shall consist of one representative from each affiliated local union having jurisdiction within said facility, and said representative shall be designated by the local union. The Chairman and Secretary of the Committee shall be selected by the Committee. The President of the Council shall be an ex-officio member of each Council Negotiations Committee. A report as to the status of negotiations shall be submitted to Council delegates at each meeting of the Council while negotiations are in progress and a written statement of said report shall be furnished to the President of the Metal Trades Department. The results of the collective bargaining negotiations, as set forth in a Labor Agreement, shall be subject to ratification by the affiliated local unions, as a group, having members employed in the facility, subject to the Agreement ratification procedures issued by the President of the Metal Trades Department.

When expert assistance is requested by the Council for a "Chief Negotiator" such individual shall be considered a part of the ~~Negotiations Committee~~ <sup>with voice but without vote</sup> and participate in all matters involving the negotiations. Request for such assistance shall be submitted to the President of the Metal Trades Department and the person designated shall be responsible to the President of the Department.

Section 2. There shall be a Grievance Committee for each facility in which this Council has received recognition as the collective bargaining representative of the facility's employees. This Committee shall consist of \_\_\_\_\_ ( ) accredited delegates from those

ARTICLE XV. COMMITTEES Section 2 (continued)

local unions having jurisdiction within said facility and shall be appointed by the President subject to the approval of the Executive Board. This Committee shall handle all grievances properly referred to it in accordance with the provisions of the governing Labor Agreement. However, this Committee shall at no time handle any grievance which involves only one (1) local union. In such case, the Committee will request that three (3) representatives from the local union involved meet with them to process the grievance. They shall have the authority, through the President and with the approval of the local union involved, to contact the Metal Trades Department or the National or International Union of the local union involved for assistance.

Any grievance unresolved by the Grievance Committee shall be referred to the local union involved by the Chairman, through the President, for their decision and action. The local union's decision shall be binding upon the Grievance Committee and they shall act accordingly. The President shall be an ex-officio member of each duly constituted Grievance Committee.

A local union desiring to use arbitration as provided for in the Labor Agreement shall present its grievance to the Executive Board for discussion. The Executive Board, by a majority vote of members present will or will not authorize the payment of the arbitration fee. The Council shall not deprive a local union of the privilege of going to arbitration at its own expense, except in cases involving other Council affiliates or the Council as such.

Each local union having members in a facility shall furnish the Chairman of the Grievance Committee and the Recording Secretary of the Council with the names and phone numbers of the three (3) repre-

ARTICLE XV. COMMITTEES Section 2 (continued)

representatives to represent their local union in cases where only their local union is involved.

Section 3. Each local union affiliated with this Council shall submit to the Recording Secretary the names, addresses and the number of stewards and chief stewards they deem necessary to properly service those employees coming under their jurisdiction. The Executive Board will assess the lists of stewards submitted and will make a fair and equitable division of stewards (based upon size of membership) to the local unions in keeping with the provisions of the Labor Agreement. Stewards and Chief Stewards, while designated by the affiliated local unions, shall be official representatives of the Council in the performance of their duties.

Council Stewards shall not refuse to initiate a grievance for an employee having a grievance, on the basis that the aggrieved employee is not of the craft of the Council Steward designated in that work area. Council Stewards are subject to removal by the Council for failure to perform assigned Stewards' duties.

Section 4. (Council may establish standing committees, such as: legislative, welfare, public relations and rules. Functions of such committees shall have prior approval of the President of the Metal Trades Department.)

Section 4-A. There shall be a standing committee on by-laws, whose function is to review the Council by-laws and make proposals for effective administration of the affairs of the Council. This By-Laws Committee shall be appointed by the President and be reasonably representative of the Council's affiliated local unions.

## ARTICLE XV. (continued)

Section 4-B. There shall be a Committee on Organizing, comprised of a representative of each affiliated local union having recognized jurisdiction in the facility or facilities represented or where representation is being sought by the Council. Each local union shall nominate its representative on the Organizing Committee to the President of the local Council and such nominees shall be appointed by the President. It shall be the duty of the Committee and each member thereof, to promote the Council concept of organization and representation. The Committee shall actively support the organizing efforts of the Metal Trades Department and its affiliated National and International Unions. Any member appointed to this Committee, failing to comply with these objectives may be removed by the President of the Council. Prior to such removal, his local union will be advised of the reason for such contemplated action.

Section 5. There shall be a committee established for the purpose of reviewing and screening all dues deduction allotment forms to insure that same are properly processed within the respective jurisdiction of the affiliated local Unions of the Council for submittal to the employer. The committee shall be comprised of a representative of each affiliated local Union having recognized jurisdiction within the facility wherein a dues deduction program is in effect with the employer. In the event a <sup>arises</sup> dispute/concerning the proper jurisdiction for submittal of a dues deduction allotment, the local unions involved shall meet in an effort to expeditiously reach agreement as to the proper jurisdiction under which the dues allotment shall be processed. Failing to adjust the dispute, the local unions involved shall notify

ARTICLE XV. COMMITTEES (cont'd.)

the President of the Council who shall immediately notify the President of the Metal Trades Department and request that the International Union involved be advised of the dispute in order that they may endeavor to reach an adjustment of the dispute. No dues deduction allotment request under dispute, shall be processed by the Council until the dispute has been resolved. Dues deduction allotment requests that have been approved by the Council screening committee shall be submitted to the employer by the designated Council official/s.

The Council screening committee shall arrange to meet at such times as necessary in order to properly perform the functions as provided in this section.



## ARTICLE XVI. POLICIES

Section 1. Each affiliated local union shall at all times, have the right of assistance and service in its efforts to promote the welfare of its members, provided that they are not acting contrary to the rules and laws of this Council or of the laws and policies established by the Metal Trades Department.

Section 2. Wherever it is determined by this Council to inaugurate new programs of action for the purpose of advancing the interests of the affiliated local unions and their membership, such local unions shall receive the sanction of their National or International Unions before pledging support to such proposed programs.

Section 3. This Council shall not establish any policy or prescribe any action that is in violation of the National or International Union Constitution of any affiliated local union.

Section 4. When any general policy has been adopted by this Council in conformity with the laws and policies of the Metal Trades Department and these By-Laws, tending toward execution of a Labor Agreement in a unit of employees over which this Council is the recognized representative, no affiliated local union shall be permitted to enter into an agreement with the facility without the consent and approval of the Council. Any violation of this Section shall be considered just cause for immediate expulsion.

ARTICLE XVII. CHARGES - TRIALS - PENALTIES - APPEALS

Section 1. Charges. Charges may be filed in the Metal Trades Council for any of the following reasons:

A. Against any person representing the Council in any official capacity, including officers, committeemen, executive board members or stewards, for willful failure to perform duties assigned pursuant to these By-Laws or required by the provisions of a valid collective bargaining agreement.

B. Malfeasance in office or mis-use or mis-appropriation of the funds or property of the Council.

C. False or slanderous statements by or against Council officers, delegates, Council stewards or an affiliated local union.

D. All charges shall be specific and in writing and signed by the member or principal officer of the affiliated organization making such charges.

Section 2. Trials.

A. The President of the Council will appoint a Trial Committee of three (3) disinterested delegates who shall hear the evidence supporting the charges, both oral and written, at a stated time and place after having given adequate notice to the parties involved. The Trial Committee shall have the right to make a finding of "guilty" or "not guilty" and in the case of "guilty", shall recommend the penalty to be imposed. The matter then shall be referred to the Metal Trades Council for final action on the Trial Committee's report, which may be to support, modify or set aside.

(ARTICLE XVII. Section 2. continued)

3. In any case where an officer of the Council is charged with malfeasance in office, mis-use or mis-appropriation of funds, the Council may, by majority vote, request the Metal Trades Department to take jurisdiction in the matter; or if the Metal Trades Department deems it in the best interest of the Council and the Department, it may assume jurisdiction. In either event, the President of the Metal Trades Department will appoint a Hearing Officer or Panel, at his discretion, to hear the evidence concerning the matter. The Hearing Officer or Panel will report his, or their, findings to the President with recommendations. The President of the Department shall render his decision within fifteen (15) working days after receiving the report. The decision of the President of the Department shall be placed in effect forthwith, or as stated in his decision. The matter may be appealed to the Executive Council of the Department, who shall have the authority to make final determination.

Section 3. Penalties

1. Except in cases of mis-use or mis-appropriation of funds, the maximum penalties which may be assessed are; 1. Removal from office, where the member (s) involved represents the Council in any capacity: 2. Where the charges are against an affiliated local union or its principal officers, the maximum penalty shall be expulsion. However, in no case, shall the suspension or expulsion become effective until after notice to the President of the Metal Trades Department,

(ARTICLE XVII. Section 3-A. continued)

who will endeavor, through the International Union of the affiliated local union, to bring about compliance with the Constitution and By-Laws of the Metal Trades Department and these By-Laws. In that event, it shall be the duty of the President of the Department and the International Union involved, to handle the matter expeditiously.

Section 4. Appeals.

A. The Council may appeal any matter involving compliance with the Metal Trades Department Constitution and By-Laws and these By-Laws to the President of the Department.

B. An affiliated local union may appeal any matter involving the Metal Trades Department Constitution and By-Laws and these By-Laws to the President of the Metal Trades Department only through its affiliated International Union.

C. In either of these situations, it shall be the duty of the President of the Metal Trades Department to act to resolve the matter or dispute as expeditiously as feasible.

ARTICLE XVIII. AMENDMENTS TO CONSTITUTION AND BY-LAWS

Section 1. All proposals to amend the Constitution and By-laws will be submitted in writing and in triplicate. They will be referred to the Constitution and By-laws Committee at least two weeks prior to the next regular Council meeting. The Committee shall meet and examine the proposal to see that no violation of existing laws or the Constitution of the Metal Trades Department is proposed. If the committee considers proposal invalid, a report shall be made at the next Council meeting, for action to consider or reject the proposal. A copy of the proposal shall be provided each affiliated local Union at such meeting.

Section 2. If no known violation of existing laws or the Constitution of the Metal Trades Department is found, the proposal to amend the Constitution and By-laws will be read at the next Council meeting following the two week period from the day of submittal. The proposal will be read at three (3) successive meetings before final action is taken. The three (3) month period will include the month in which the proposal is introduced. No discussion will be held on the proposal to amend the Constitution and By-laws until the third and final reading. Notice in writing will be given all delegates, by the Corresponding Secretary prior to the third and final reading and voting.

Section 3. No By-laws or amendments shall become effective until such have received the approval of the President of the Metal Trades Department.

ARTICLE XIX

RULES OF ORDER

Section 1 - All delegates shall address the Chairman when rising to speak and wait until recognized before proceeding. The Chairman may refuse to recognize any delegate violating this procedure.

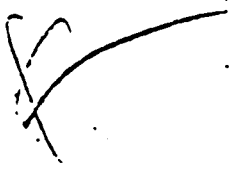
Section 2 - Objectional language or indulging in personalities will be strictly forbidden. When called to order by the Chairman, the delegate taking such liberties will be seated. The Chairman will remove from the meeting any delegate who does not heed to the call to order.

Section 3 - No delegate shall speak more than once on a subject until all members desiring the floor shall have spoken, nor more than twice without unanimous consent, nor more than five minutes at any one time.

Section 4 - All questions of Parliamentary procedure, unless otherwise provided for, will be decided by Roberts Rules of Order and will be binding.

Section 5 - Conduct on the part of any delegate unbecoming to a member of organized labor, incident to the business of this Council will be reported to the delegates local union for such action as it deems appropriate to correct the delegates-action.

ORDER OF BUSINESS

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1. Fledge Allegiance to the Flag
  2. Roll Call of Officers
  3. Obligation of New Delegates
  4. Reading of Minutes of Last Meeting
  5. Reading of Correspondance
  6. Reading of the Bills
  7. Treasurers Report
  8. Report of Standing and Special Committees
  9. Report of Affiliated Organizations
  10. Report of Officers
  11. Election of Officers
  12. Unfinished Business
  13. New Business
  14. Good and Welfare for the Good of the Council
  15. Adjournment

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ARTICLE

SUBJECT

I.

NAME

II.

III.

IV.

V.

VI.

VII.

VIII.

IX.

X.

XI.

XII.

XIII.

XIV.

XV.

XVI.

XVII.

XVIII.

AM

XIX.

ORDER